

FILED

JUL 01 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

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MARC OPPERMAN, et al.,

Plaintiffs,

v.

PATH, INC., et al.,

Defendants.

Case No.: 13-cv-00453-JST

CLASS ACTION **537**

[PROPOSED] SCHEDULING ORDER

THIS DOCUMENT RELATES TO ALL CASES:

Opperman, et al. v. Path, Inc., No. 13-cv-00453-JST

Hernandez, et al. v. Path, Inc., No. 12-cv-01515-JST

Pirozzi v. Apple, Inc., No. 12-cv-01529-JST

Gutierrez, et al. v. Instagram, Inc., No. 12-cv-06550-JST

1 On June 21, 2013, the Court held a Case Management Conference attended by counsel
2 for all Parties in each of the above-captioned Related Actions. At the Case Management
3 Conference, the Court ordered the following:

- 4 • The Court will hear Apple, Inc.'s Motion to Dismiss in the *Pirozzi* action on August 1,
5 2013 at 10:00 a.m.;
- 6 • All Plaintiffs will file a Consolidated Amended Complaint within ten (10) days following
7 the issuance of the Court's order on Apple, Inc.'s Motion to Dismiss in the *Pirozzi* action;
- 8 • Following consideration of Apple, Inc.'s Motion to Dismiss in the *Pirozzi* action, the
9 Court will hold a Case Management Conference for all actions on August 1, 2013 at
10 10:00 a.m.;
- 11 • The Parties will file a Joint Case Management Statement on or before July 25, 2013,
12 addressing any new issues and specifically addressing (1) the Parties' desired briefing
13 schedule and page limits for any future omnibus Motion to Dismiss and joinders thereto,
14 if any, and (2) the Parties' proposal(s) regarding potential leadership structure(s) for the
15 Related Actions;
- 16 • Discovery will remain closed until further order from the Court, however Plaintiffs may
17 petition the Court to permit discovery in response to a Motion to Dismiss from any
18 Defendant, where Plaintiffs demonstrate that Defendant is in sole possession of said
19 discovery and that the discovery is necessary to respond to a ground for the Motion to
20 Dismiss;
- 21 • Discovery will be referred to a Magistrate Judge; and
- 22 • Plaintiffs in the *Opperman* action are granted leave to file a motion for entry of default
23 against Defendant Hipster.

24 **IT IS SO ORDERED.**

25 Date: July 1, 2013.

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28 **HON. JON S. TIGAR**
UNITED STATES DISTRICT JUDGE